

**The Cardoza Law Corporation**

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*Attorneys for Plaintiff,*

Mirwiss Pasoon

**UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA**

**MIRWISS PASOON,**

Plaintiff,

v.

**EQUIFAX INFORMATION  
SERVICES, LLC,**

Defendants.

**Case No.:** 3:24-cv-00072-AMO

*HON. ARACELI MARTINEZ-OLGUIN*

**MOTION TO DISMISS ENTIRE  
CASE WITHOUT PREJUDICE  
PURSUANT TO FRCP 41(a)(2)**

Date: April 25, 2024

Time: 2:00 PM

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1 Plaintiff MIRWISS PASOON hereby moves pursuant to Federal Rule of Civil  
 2 Procedure 41(a)(2) to dismiss, without prejudice, the entire case with each party  
 3 bearing that party's own attorney's fees and costs.

4 Plaintiff emailed Defendant's counsel on February 16, 2024, to request that  
 5 Defendant stipulate to dismiss this case without prejudice. Defendant's counsel  
 6 responded against on February 19, 2024, agreeing only to agree to the dismissal upon  
 7 Plaintiff's review of his consumer disclosures. Defendant's counsel insisted on this  
 8 term on February 20, 2024. Plaintiff responded that same day indicating that he would  
 9 be submitting a motion to dismiss without prejudice and indicating to the Court that  
 10 meet and confer efforts to stipulate to such dismissal had failed.

11 F.R.C.P 42(a) states, "an action may be dismissed at the plaintiff's request only  
 12 by court order, on terms that the court considers proper." Thus, Plaintiff makes the  
 13 instant motion to dismiss the case without prejudice. *See Petersen v. Bank of Am.*  
 14 *Corp.* (2014) 232 Cal.App.4th 238, 259 ["plaintiffs in any civil litigation... are  
 15 deemed to be the masters of their complaint"], *citing Aryeh v. Canon Business*  
 16 *Solutions, Inc.* (2013) 55 Cal.4th 1185, 1202.). Plaintiff respectfully requests that the  
 17 Court dismiss this case without prejudice, and close the case against Defendant.

18 Respectfully submitted,

19 **THE CARDOZA LAW CORPORATION**

20 DATED: March 11, 2024

21 BY: /s/ LAUREN B. VEGGIAN  
 22 MICHAEL F. CARDOZA, ESQ.  
 23 LAUREN B. VEGGIAN, ESQ.  
 24 ATTORNEYS FOR PLAINTIFF,  
 25 MIRWISS PASOON  
 26  
 27  
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**CERTIFICATE OF SERVICE**

I, Lauren B. Veggian, am the ECF user whose identification and password are being used to file this document.

I also hereby certify that on March 11, 2024, I electronically filed a true and correct copy of the foregoing MOTION TO DISMISS ENTIRE CASE WITHOUT PREJUDICE PURSUANT TO FRCP 41(a)(2) with the Clerk of the Court for the United States District Court of California for the Northern District of California using the CM/ECF system. I also certify that all participants in this case are registered CM/ECF users, and service will be accomplished by the CM/ECF system.

**THE CARDOZA LAW CORPORATION**

DATED: March 11, 2024

BY: /s/ LAUREN B. VEGGIAN

LAUREN B. VEGGIAN, ESQ.

ATTORNEY FOR PLAINTIFF

MIRWISS PASOON